

**Senate Bill No. 968**

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Passed the Senate August 21, 2014

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*Secretary of the Senate*

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Passed the Assembly August 20, 2014

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Section 6213.5 to the Public Resources Code, relating to public lands.

## LEGISLATIVE COUNSEL'S DIGEST

SB 968, Hill. Public lands: Martins Beach property: access road.

(1) Existing law establishes the State Lands Commission in the Natural Resources Agency and prescribes the functions and duties of the commission. Under existing law, the commission has jurisdiction over various state lands, including coastal lands. Existing law authorizes the commission to acquire a right-of-way or easement across private land in certain circumstances by purchase, lease, gift, exchange, or condemnation.

This bill would require the commission to consult, and enter into any necessary negotiations, with the owners of a specified property known as the Martins Beach property, as described, in the unincorporated area of the County of San Mateo, to acquire a right-of-way or easement for the creation of a specified public access route to and along the shoreline, including the sandy beach. If the commission is unable to reach an agreement to acquire that right-of-way or easement or the owners do not voluntarily provide public access by January 1, 2016, the bill would authorize the commission to acquire a right-of-way or easement for the creation of that public access route to and along the shoreline, including the sandy beach, at Martins Beach, as prescribed. The bill would require the commission to consult and enter into negotiations with local stakeholders, as described, to address the ongoing management and operation of any property acquired pursuant to these provisions.

(2) The bill would declare that due to the unique circumstances and features of the Martins Beach property, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

*The people of the State of California do enact as follows:*

SECTION 1. Section 6213.5 is added to the Public Resources Code, to read:

6213.5. (a) (1) The commission shall consult, and enter into any necessary negotiations, with the owners of the property known as Martins Beach, consisting of two parcels of land, APN: 066-330-230 and APN: 066-330-240, in the unincorporated area of the County of San Mateo, to acquire a right-of-way or easement, pursuant to Section 6210.9, for the creation of a public access route to and along the shoreline, including the sandy beach, at Martins Beach at the South Cabrillo Highway.

(2) This section does not prohibit the owners of the property from voluntarily providing public access to and along the shoreline at Martins Beach upon terms acceptable to the commission.

(b) If the commission is unable to reach an agreement to acquire a right-of-way or easement or the owners do not voluntarily provide public access pursuant to subdivision (a) by January 1, 2016, the commission may acquire a right-of-way or easement, pursuant to Section 6210.9, for the creation of a public access route to and along the shoreline, including the sandy beach, at Martins Beach at the South Cabrillo Highway, in accordance with the procedures set forth in Title 7 (commencing with Section 1230.010) of Part 3 of the Code of Civil Procedure.

(c) The commission shall consult and enter into negotiations with local stakeholders, including, but not limited to, nonprofit entities and local and regional governments and governmental entities, to address the ongoing management and operation of any property acquired pursuant to this section.

SEC. 2. Due to the unique circumstances and features of the Martins Beach property, the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution. Therefore, the special legislation contained in Section 2 of this act is only applicable to that property in the County of San Mateo.

Approved \_\_\_\_\_, 2014

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*Governor*